Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 009-00618-5100-145		Date: 5/13/09	Time: 0915
Location: 441 Bauchet Street		City or Station: Los Angeles	
Bureau/Station/Facility: CU/MCJ		Admin. Investigation: YES ☒ NO ☐	
Type of Force: Team take-down, personal weapons, impact weapons (flashlight), and Taser.			
Deputy Injury: YES ☒ NO ☐	Suspect Injury YES ☒ NO ☐		
☐ Call ☒ Observation ☐ Detail		☐ Foot Pursuit ☐ Vehicle Pursuit	
IAB Notified: YES ☒ NO ☐	Person Notified: Lt. Roderick Kusch	Emp:	IAB Roll Out: YES ☒ NO ☐

Involved Employee

E1

Employee #	Last Name	First Name	Middle Name
[redacted]	Kerfoot	Matthew	Thomas

Sex: ☒ Male ☐ Female	Race: W	Unit of Assignment: MCJ	Work Assignment (Unit #, Module, etc.): Module 2500/2700
Shift: ☐ EM ☒ Day ☐ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age: [redacted] Height: 5' 09"	Weight: 175
☐ Injured ☐ Treated ☐ Admitted	Hospital:	Coroner Case #	Directed Force ☐ Significant Force ☒

E2

Employee #	Last Name	First Name	Middle Name
[redacted]	Erskin	Scott	Allen

Sex: ☒ Male ☐ Female	Race: W	Unit of Assignment: MCJ	Work Assignment (Unit #, Module, etc.): 2500/2700 Movement
Shift: ☐ EM ☒ Day ☐ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age: [redacted] Height: 6' 04"	Weight: 235
☐ Injured ☐ Treated ☐ Admitted	Hospital:	Coroner Case #	Directed Force ☐ Significant Force ☒

E3

Employee #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	[redacted]

Sex: ☒ Male ☐ Female	Race: W	Unit of Assignment: MCJ	Work Assignment (Unit #, Module, etc.): 2700 Module Deputy
Shift: ☐ EM ☒ Day ☐ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age: [redacted] Height: 5' 10"	Weight: 195
☒ Injured ☒ Treated ☐ Admitted	Hospital: White Memorial Occupational Center	Coroner Case #	Directed Force ☐ Significant Force ☒

☐ **Additional Involved Employees**

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	Soto	Joaquin	NMN	Sgt.	YES ☐ NO ☒	YES ☐ NO ☒
					YES ☐ NO ☐	YES ☐ NO ☐

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	Herron, Jr.	Edward	G.

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	McCray	Leonard	NMN

Leonard McCray
Watch Commander (**Print Name**) — Watch Commander's **Signature**: — Emp #: — Date

Dinah L. Grote — [redacted]
Supervisor Completing Form: (**Print Name**) — Emp #: — Copy Provided to Employee by: — Emp #:

Daniel S. Cruz
Unit Commander (**Print Name**) — Unit Commander's **Signature**: — Emp #: — Date

DISCOVERY Use Only
FO# 2243381

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 12/07)

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE - Continuation
009-00618-5100-145

Involved Employee

E 4

Employee #	Last Name	First Name	Middle Name
[redacted]	Diaz	Armando	NMN

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
[X] Male [ ] Female	H	MCJ	2600/2800 Movement

Shift:		Age:	Height:	Weight:
[ ] EM [X] Day [ ] PM	[X] Regular Shift [ ] OT Shift [ ] Off Duty	[redacted]	5' 08"	230

		Coroner Case #	
[X] Injured [X] Treated [ ] Admitted	Hospital: White Memorial Occupational Center		Directed Force [ ] Significant Force [X]

E 5

Employee #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	[redacted]

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
[X] Male [ ] Female	H	MCJ	Module 2600/2800

Shift:		Age:	Height:	Weight:
[ ] EM [X] Day [ ] PM	[X] Regular Shift [ ] OT Shift [ ] Off Duty	[redacted]	5' 08"	165

		Coroner Case #	
[ ] Injured [ ] Treated [ ] Admitted	Hospital:		Directed Force [ ] Significant Force [X]

E_

Employee #	Last Name	First Name	Middle Name

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
[ ] Male [ ] Female			

Shift:		Age:	Height:	Weight:
[ ] EM [ ] Day [ ] PM	[ ] Regular Shift [ ] OT Shift [ ] Off Duty			

		Coroner Case #	
[ ] Injured [ ] Treated [ ] Admitted	Hospital:		Directed Force [ ] Significant Force [ ]

E_

Employee #	Last Name	First Name	Middle Name

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
[ ] Male [ ] Female			

Shift:		Age:	Height:	Weight:
[ ] EM [ ] Day [ ] PM	[ ] Regular Shift [ ] OT Shift [ ] Off Duty			

		Coroner Case #	
[ ] Injured [ ] Treated [ ] Admitted	Hospital:		Directed Force [ ] Significant Force [ ]

E_

Employee #	Last Name	First Name	Middle Name

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
[ ] Male [ ] Female			

Shift:		Age:	Height:	Weight:
[ ] EM [ ] Day [ ] PM	[ ] Regular Shift [ ] OT Shift [ ] Off Duty			

		Coroner Case #	
[ ] Injured [ ] Treated [ ] Admitted	Hospital:		Directed Force [ ] Significant Force [ ]

SUSPECT INFORMATION

0 0 9 - 0 0 6 1 8 - 5 1 0 0 - 1 4 5

Suspect Information

S 1

Last Name: White | First Name: Eric | Middle Name: Donald

AKA Last Name: | First Name: | Middle Name:

Sex: [X] Male [ ] Female | Race: W | Street Address: Tehachapi State Prison Inmate | City: Tehachapi | State & Zip Code: CA., 93561

Work Phone: [redacted] | Home Phone: [redacted] | Age: 37 | Height: 6' 02" | D.O.B. 10/27/72 | Weight: 235 | Armed? [ ]

Booking #: CDC #[redacted] | Primary Charge Code: 69 PC. | Secondary Charge Code: 243(c)(1) PC. | Criminal History [X]

EMT in attendance? [ ] YES [X] NO | Name: | Unit: | Phone #:

Hospital Admission? [X] | Rec'd Treatment At: LAC-USC Medical Center | Coroner Case #: | Mental History [ ]

By Doctor: Dr. Urdang | Address: 1200 N. State Street, Los Angeles | Phone #: (213) 226-6118

Under Influence: [ ] YES [X] NO | Substance: | Mental Illness [ ]

Suspect Interview

Date: 05/13/09 | Time: 1120 | Audiotape: [ ] | Videotape: [X] | Photos of Injuries: [X]

Suspect Information

S__

Last Name: | First Name: | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex: [ ] Male [ ] Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? [ ]

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History [ ]

EMT in attendance? [ ] YES [ ] NO | Name: | Unit: | Phone #:

Hospital Admission? [ ] | Rec'd Treatment At: | Coroner Case #: | Mental History [ ]

By Doctor: | Address: | Phone #:

Under Influence: [ ] YES [ ] NO | Substance: | Mental Illness: [ ]

Suspect Interview

Date: | Time: | Audiotape: [ ] | Videotape: [ ] | Photos of Injuries: [ ]

Suspect Information

S__

Last Name: | First Name: | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex: [ ] Male [ ] Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? [ ]

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History [ ]

EMT in attendance? [ ] YES [ ] NO | Name: | Unit: | Phone #:

Hospital Admission? [ ] | Rec'd Treatment At: | Coroner Case #: | Mental History [ ]

By Doctor: | Address: | Phone #:

Under Influence: [ ] YES [ ] NO | Substance: | Mental Illness [ ]

Suspect Interview

Date: | Time: | Audiotape: [ ] | Videotape: [ ] | Photos of Injuries: [ ]

[ ] **Additional Suspects Involved**

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
White	S	Kerfoot	E#1	PH	NN	SH
"	"	Kerfoot	E#1	PK	NN	LE
"	"	Kerfoot	E#1	RS	NN	
"	"	Erskin	E#2	PH, PK	NN	
"	"	[redacted]	E#3	PK	BR, CP	LE
"	"	Diaz	E#4	PK	AB	LE
Kerfoot	E#1	White	S	PH	FA	BR
"	"	"	"	TT	FR	BK
"	"	"	"	PH	AD, CH	CP
"	"	"	"	FL	AB, CP	LE
"	"	"	"	RH	NN	HD
Erskin	E#2	White	S	PH	AB	FA
"	"	"	"	TT	FR	BK
"	"	"	"	PH	CP	AD, BK
"	"	"	"	PK	FR, CP	BK, AB
"	"	"	"	RH	NN	
[redacted]	E#3	White	S	PH	SD, AB	FA, HE
Diaz	E#4	White	S	PH	AD	CP
White	S	Kerfoot, Erskin, [redacted] Diaz	E#1-4	RS	NN	
Kerfoot, Erskin, [redacted] Diaz	E#1-4	White	S	CT	NN	
[redacted]	E#5	White	S	TR	PW	BT

INTERNAL AFFAIRS BUREAU
INVESTIGATIVE SUMMARY
USE OF FORCE
(BONE FRACTURES, HOSPITALIZATION)
IAB #FO2243381 & #IV2255921

FILE#: 009-00618-5100-145

DATE/TIME: Wednesday, May 13, 2009, 0915 hours

LOCATION: Men's Central Jail
441 Bauchet Street, Los Angeles, California, 90012

SUSPECT: Former Inmate, Eric Donald White, MW/37, Booking #1837058, (out of LA County custody), Tehachapi State Prison, CDCR #[redacted]

PERSONNEL: Deputy Matthew Kerfoot, #[redacted], Days
Deputy Scott Erskin, #[redacted], Days
Deputy [redacted] #[redacted], Days
Deputy Armando Diaz, #[redacted], Days
Deputy [redacted] #[redacted], Days

SYNOPSIS:
Internal Affairs Bureau Sergeants Dinah Grote and Laura Haynes and Lieutenant Roderick Kusch responded to Men's Central Jail, where a deputy use-of-force incident led to an inmate's bone fractures and hospitalization. Attorney Julie Ruhlin of the Office of Independent Review was also notified of the incident but did not respond. When we arrived at the scene, we learned the following:

Men's Central Jail Deputy Matthew Kerfoot, assigned as the 2500 Module deputy, provided "tier time" to inmates to make telephone calls. He saw Inmate Eric White reach into a cell, then place his hand inside his pants pocket. Believing there was an exchange of contraband, Deputy Kerfoot approached Inmate White, intending to contact him and conduct a strip search. Deputy Kerfoot had Inmate White place his hands behind his back so he could grasp his hands, control him, and escort him out of the module to the 2000 Floor hallway to conduct the search. Before reaching the module door, Inmate White asked where he was being taken. He stopped and pulled his hands apart. Simultaneously, he turned to face Deputy Kerfoot.

Believing he was about to be assaulted, Deputy Kerfoot punched Inmate White's face, about the same time Inmate White punched Deputy Kerfoot's shoulder. Deputy Kerfoot attempted a takedown and was assisted by Deputy Scott Erskin, who was nearby and assigned as the 2500/2700 Module movement deputy. They succeeded in taking Inmate White to the ground, where he struck his back (and possibly the back of his head) against the module's cell bars.

IAB Note: Hereafter, Inmate White is referred to as "Suspect" White.

Suspect White continued to punch and kick the deputies and Deputies Kerfoot and Erskin punched and kneed Suspect White's torso to overcome his resistance. Deputy Kerfoot struck Suspect White's lower legs and shins three to five times with his flashlight. During the fight, Deputy [redacted] assigned as the 2700 Module deputy assisted by using his elbow to hit Suspect White's face and forehead five to seven times. Deputy Armando Diaz, assigned as the 2600/2800 Module movement deputy, assisted by punching Suspect White's torso about three times. The resistance ended when Deputy [redacted] assigned as the 2600/2800 Module deputy, arrived and deployed his TASER probes into Suspect White's buttocks. Suspect White was then restrained with handcuffs without further incident.

Deputy [redacted] received a contusion to his left thigh and Deputy Diaz received a small laceration on his right shin. Both deputies received these injuries when Suspect White kicked them and both were treated at White Memorial Occupational Hospital for their injuries and returned to work with full-duty status.

Suspect White received two staples on top of his head, six stitches over his left eyebrow, two stitches over his right eyebrow, three stitches to his right temple, contusions to his forehead, legs and shins, TASER punctures to his left buttocks, complaint of pain to his back, neck and legs, and four fractured vertebrae (L-1, L-2, L-3 and L-4). He was transported to, treated at, and admitted to the Los Angeles County - University of Southern California Medical Center. Dr. Urdang described the vertebrae fractures as "acute" (meaning recent) and "stable" (meaning they will heal without further medical intervention).

On October 7, 2009, a member ("[redacted]") of the American Civil Liberties Union (ACLU), went to the Men's Central jail and spoke with Suspect White. In that interview, Suspect White said that during a force incident with Deputy "Curbfoot" back on May 13, 2009, Deputy [redacted] was present. He alleged that since his return from the hospital, deputies have repeatedly retaliated against him, naming "Deputy Cicerelli and Schurzberg."

Notes from that interview were placed on a Declaration form, which was handwritten by "[redacted]" initialed and signed by Suspect White. The ACLU mailed and emailed a letter dated October 28, 2009, with Suspect White's and several other inmates' declarations. For further, refer to Suspect White's declaration, presented as ***Exhibit Q***, ***pages 21-26***, located in ***Volume 2 of 2*** of this case book.

On December 1, 2009, Men's Central Jail Captain Daniel S. Cruz requested an administrative investigation for possible Manual of Policy and Procedure violations (3-01/030.10, Obedience to Laws, Regulations, and Orders and 3-01/050.10, Performance to Standards) by unknown deputy personnel. For further, refer to the investigation request located in the ***Miscellaneous Documents*** section in ***Volume 2 of 2***.

After reviewing the Declaration and researching the Men's Central Jail in-services and personnel assignments during the time frame of May through September 2009, Deputies Christopher Cenderelli and Dustin Schnakenberg were identified as possibly being those referred to by Suspect White.

INVOLVED PERSONNEL:

KERFOOT, Matthew T.
Deputy Sheriff, Employee #[redacted]
Custody Operations Division/MCJ - Inmate Security

Work History:

Date of Employment: 02/20/2008
Date assigned to Custody: [redacted]
Completed Custody Training:
Prior Shooting Incident(s):
Prior Founded Force Incident(s):

ERSKIN, Scott A.
Deputy Sheriff, Employee #[redacted]
Custody Operations Division/MCJ - Inmate Security

Work History:

Date of Employment: 10/25/2006
Date assigned to Custody: [redacted]
Completed Custody Training:
Prior Shooting Incident(s):
Prior Founded Force Incident(s):

[redacted]
Deputy Sheriff, Employee #[redacted]
Custody Operations Division/MCJ - Inmate Security

Work History:

Date of Employment: 12/11/2006
Date assigned to Custody: [redacted]
Completed Custody Training:
Prior Shooting Incident(s):

Prior Founded Force Incident(s): [redacted]

DIAZ, Armando NMN
Deputy Sheriff, Employee #[redacted]
Custody Operations Division/MCJ - Inmate Security

Work History:
Date of Employment: 10/25/2006
Date assigned to Custody:
Completed Custody Training:
Prior Shooting Incident(s):
Prior Founded Force Incident(s): [redacted]

[redacted]
Deputy Sheriff, Employee #[redacted]
Custody Operations Division/MCJ - Inmate Security

Work History:
Date of Employment:
Date assigned to Custody:
Completed Custody Training:
Prior Shooting Incident(s):
Prior Founded Force Incident(s): [redacted]

SUSPECT INFORMATION:
WHITE, Eric Donald, MW/37, DOB: 10/27/1972, 6'02", 235 pounds

Booking #1837058, CCHRS #[redacted], CII #[redacted] FBI #[redacted], Ohio #[redacted], Oklahoma #[redacted].

Suspect White was arrested on March 13, 2009, by the West Covina Police Department [redacted]. On [redacted]

[redacted]

A check of the CCHRS (Consolidated Criminal History Reporting System) revealed that Suspect White showed [redacted]. His California, Ohio and Oklahoma printouts indicate [redacted].

[redacted]

[redacted] Refer to the CCHRS and CII printouts included under the ***Miscellaneous Documents*** in ***Volume 2 of 2.***

EMPLOYEE WITNESS:

[redacted], #[redacted], Deputy

CENDERELLI, Christopher, #[redacted], Deputy

SCHNAKENBERG, Dustin, #[redacted], Deputy

GEZAHEGNE, Akelat, #[redacted], Registered Nurse I

HAGGERTY, Nuala, #[redacted], Registered Nurse I

NON-EMPLOYEE WITNESS:

[redacted] MB/35, [redacted]

MH/24, [redacted]

MB/52 [redacted]

INJURIES:

Although Deputies Kerfoot and Erskin were punched and kicked by Suspect White, they did not sustain any injuries and Deputy [redacted] was not injured.

Deputy [redacted] sustained a contusion and bruising to his left thigh.

Deputy Diaz sustained a small laceration, swelling, and bruising to his right shin. He stated the pain to his shin lasted approximately one week.

Both deputies received medical treatment at the White Memorial Occupational Center and returned to full-duty work. After the incident, Sergeant Soto took photographs of Deputy Diaz's injury. However, he could not locate them for this case book. No photographs were taken of Deputy [redacted] injury.

Suspect White sustained four fractured vertebrae, an approximate 1 inch laceration on the top of his head, an approximate 2 ½ inch laceration over his left eyebrow, an approximate 2 inch laceration over his right eyebrow, an approximate 1 ½ inch laceration right temple, contusions to his forehead, legs and shins, a small laceration and contusion near left ear, and complaint of pain to his legs, back, and neck. For further, refer to the nine photographs of Suspect White's injuries, presented as ***Exhibit L*** in ***Volume 2 of 2***.

PHYSICAL EVIDENCE:

None recovered.

INVESTIGATORS' OBSERVATIONS:

The scene was not held by the personnel from Men's Central Jail (MCJ). Notification to IAB was made approximately five hours after the initial use of force due to the fact the fractured vertebrae were not discovered until the mid-afternoon hours on May 13, 2009.

IAB Lieutenant Rod Kusch and Sergeants Dinah Grote and Laura Haynes responded to the MCJ during the evening hours on May 13, 2009, to investigate the use of force incident.

WEAPONS USED BY DEPUTY PERSONNEL:

Deputy Kerfoot punched Suspect White's face approximately one time, conducted a team-takedown of the suspect, punched the suspect's abdomen and torso area two to three times, and used flashlight strikes to both legs and shins six to eight times.

Deputy Erskin punched the suspect's face one time, punched both kidney areas five to ten times, kneed his right rib cage one time and kneed his left rib cage area two times.

Deputy [redacted] elbowed the suspect's face and head four to six times.

Deputy Diaz punched the suspect's rib cage area three times.

Deputy [redacted] deployed the TASER on the suspect for approximately 20 seconds.

> **IAB Note:** On May 13, 2009, Sergeant Dinah Grote, provided the Taser used by Deputy [redacted] to Custody Assistant (C.A.) Eddie Smith. The TASER, Serial #X00-414220, was equipped with a video-camera. C.A. Smith downloaded the TASER's history data and video.
>
> The TASER's Weapon Summary (history data) indicates the firing end time at 9:16:15 seconds, and it was activated for 20 seconds. It is listed under "Firings" as Sequence #836.
>
> The video is listed on the last page under "Videos" as the last entry dated, 05/13/09. The video started at 9:15:54 seconds and taped for one minute and fifty-four seconds. The TASER Weapon Summary and the video, was downloaded onto a

DVD and is presented as ***Exhibit G***, in ***Volume 2 of 2*** in this case book.

WEAPONS USED BY THE SUSPECT:

Suspect White punched Deputy Kerfoot's left shoulder and kicked his left thigh. He attempted to punch Deputy Erskin twice and attempted to kick him numerous times. He kicked Deputy [redacted] left thigh two to three times and kicked Deputy Diaz' right shin two to three times.

PROPERTY DAMAGE:

There was no property damage during the fight with the deputies.

CRIMINAL INVESTIGATION CHARGES:

Investigator's Name:	Jail Investigations Unit - Detective Armando Castillo #[redacted]
Court:	Clara Shortridge Foltz and LA City Attorney
Charges Filed:	None
D.A. Case Number:	None (DA and City Attorney reject)

On June 12, 2009, the case was presented to Deputy District Attorney Victoria Pasternack at the Clara Shortridge Foltz Criminal Justice Center for felony filing consideration. Ms. Pasternack declined filing and referred the case to the Los Angeles City Attorney's Office for a misdemeanor filing consideration.

On June 18, 2009, Deputy City Attorney Jennifer Rood rejected the case "in the interest of justice." For further, refer to the supplemental report by Jail Investigator Armando Castillo, presented as ***Exhibit I***, and the reject explanation, presented as ***Exhibit J***, both located in ***Volume 2 of 2***, in this case book.

LIGHTING AND WEATHER CONDITIONS:

Module 2500/2700 was lit with overhead fluorescent lighting.

*The following interviews were conducted during the investigation. Precise wording may be obtained by reviewing the digitally audio taped interviews in the IAB audio files and/or the verbatim transcripts listed under the **Transcribed Interviews, Volume 1 of 2** in the case book.*

INVOLVED EMPLOYEES' STATEMENTS:

Deputy Matthew Kerfoot was interviewed by IAB Sergeants Dinah Grote and Laura Haynes on June 18, 2009, at 0947 hours, at the IAB Commerce office. He was represented by Attorney Helen Schwab from Green & Shinee.

Deputy Kerfoot was working in Module 2500 conducting tier time for the Pro Per (Propria Persona) inmates on "Baker" (B) row. He said there were two inmates (Suspect White and Witness [redacted]) out on the row and as Deputy Kerfoot was monitoring them by looking

down the row via the security gate, he saw an inmate (Suspect White) reach into a cell that did not belong to him. Knowing the inmate was housed at the opposite end of the row and believing the inmate had just passed contraband, was given contraband, or was stealing from the cell, he told the inmate (Suspect White) to come to him.

When Suspect White came down the row, Deputy Kerfoot told Suspect White to exit the gate and place his hands behind his back. Suspect White complied with the orders. Wanting to search Suspect White for contraband, Deputy Kerfoot grabbed Suspect White's hands and started to escort him to the module's exit door and out onto the 2000 floor hallway where other deputies would be present during the search.

As they walked toward the module's front entry/exit door, and prior to reaching the door, Deputy Erskin was just coming out of Security Gate 2. Suspect White's demeanor suddenly changed as he shouted out, "Where the fuck you taking me?" Suspect White's hands and arms tensed up, and he stopped walking. Simultaneously, he spun around and faced Deputy Kerfoot while raising his fists.

> **IAB Note:** Deputy Kerfoot referred to the front entry/exit door as Gate 1. Gate 2 is located directly across from the module's entry/exit door. Refer to Deputy Kerfoot's diagram, presented as ***Exhibit B***, in ***Volume 1 of 2*** of this case book.

Believing Suspect White was going to hit him, Deputy Kerfoot used his right hand to punch Suspect White on the left side of his face, while Suspect White simultaneously swung his right fist at Deputy Kerfoot, striking him on his left shoulder. Deputy Kerfoot's punch had no effect on Suspect White.

Unable to put out any radio transmissions, Deputy Kerfoot used his left hand and grabbed Suspect White's left wrist as he placed his right hand on top of Suspect White' right shoulder while attempting to force Suspect White to the ground. Although Suspect White was knocked off balance, he did not fall to the ground. Deputy Kerfoot maintained hold of Suspect White's left arm as Deputy Erskin arrived and grabbed Suspect White's right arm. As they spun around in the hallway between the exit door and security module, Deputies Kerfoot and Erskin were able to take Suspect White down to the ground. When Suspect White landed in a semi-seated position, his back struck the #2 metal security gate bars. Suspect White's face and feet were pointed toward the entry/exit door. Deputy Kerfoot saw Deputy [redacted] exit the 2700 Module security enclosure and run toward them.

On the ground, Deputy Kerfoot landed on his knees to the left side of Suspect White's upper torso area, while losing his grasp on Suspect White. Deputy Erskin landed to the right side of Suspect White. Suspect White's back was against the security gate bars and with his right hand, Suspect White grabbed onto Deputy Kerfoot's left forearm and attempted to pull Deputy Kerfoot toward him (Suspect White). Believing he was going to be assaulted again by Suspect White, Deputy Kerfoot punched Suspect White in his abdomen/upper torso area two to three times with his right fist. This was effective as the

suspect released his arm.

As he backed away from the suspect, Suspect White slid down the bars and onto his back while he kicked at Deputy Kerfoot. One of Suspect White's feet glanced off of Deputy Kerfoot's left thigh area, just above the knee. Deputy Kerfoot said he felt Deputy [redacted] presence but he did not know where he was or what he was doing. Deputy Kerfoot ordered Suspect White to stop fighting, but he kept kicking out at Deputy Kerfoot. Removing his "StreamLight" flashlight from his holder, Deputy Kerfoot struck Suspect White's lower leg/shin area three to five times each with the flashlight, which had no effect on Suspect White because he continued to kick at Deputy Kerfoot.

Deputy Kerfoot said Suspect White then flipped over onto his stomach and tucked his arms underneath his body against his chest. Deputy Kerfoot was unsure if a deputy flipped Suspect White over or he did it himself, but the suspect's head was adjacent to the #2 gate, pointed in the direction of 2500 security gate. Deputy Kerfoot was on the right side of Suspect White's body. On his knees, Deputy Kerfoot reached in and grabbed hold of Suspect White's right arm and attempted to pull it behind his back when he heard Deputy [redacted] yell out, "TASER, TASER, TASER." The TASER was activated and a dart struck one of Suspect White's buttocks because his pants had partially come down during the struggle on the ground. After the TASER hit Suspect White, Deputy Kerfoot was able to place Suspect White's right arm behind his back while Deputy Erskin placed Suspect White's left arm behind his back, and the suspect was handcuffed.

> **IAB Note:** During the struggle, Deputy Kerfoot said he heard radio transmissions regarding a deputy-involved fight, but at the time, he did not know who had put out the radio traffic. He said other deputies arrived but he did not see what they were doing or know their placement.

Deputy Kerfoot said that a sergeant arrived, as well as a nurse and gurney. Suspect White was taken to the facility's clinic for treatment. He said that he did not have any further contact with Suspect White and never had the opportunity to search Suspect White or his pant pockets for possible contraband.

Deputy Kerfoot indicated that although he does not know all the names of the inmates housed in 2500, he generally knows the cells inmates are housed in and he had only learned of Suspect White's name after the incident. He said he has not had any negative prior contacts with Suspect White. He does not recall ever exchanging any words with Suspect White. He said he did not call Suspect White any names and that Suspect White has never called him any names.

Deputy Kerfoot stated that during the struggle, Suspect White was assaultive to both him and Deputy Erskin, and that Suspect White refused to obey their orders to stop fighting. He stated that he had no visible injuries from the incident. For further, refer to Deputy Kerfoot's incident report and his diagram of the scene, presented as ***Exhibits A*** and **B**,

listed in ***Volume 1of 2***.

Deputy Scott Erskin was interviewed by IAB Sergeants Dinah Grote and Laura Haynes on June 24, 2009, at 0930 hours, at the IAB Commerce office. He was represented by Attorney Derald Brenneman from Green & Shinee.

Deputy Erskin stated that he was standing in the security cage area between Modules 2500 and 2700 monitoring inmates coming and going from their cells when he saw Deputy Kerfoot escorting an unknown inmate in a firm grip hold from the 2500 Module gate toward the entry/exit door of the module, which appeared to be normal to him. As Deputy Erskin stepped through the security gate, both the inmate and Deputy Kerfoot were facing the exit door when Deputy Erskin heard the inmate yell out, "Where the fuck are you taking me?" Already standing in the hallway approximately two feet behind Deputy Kerfoot, Deputy Erskin looked up and saw the suspect pull his hands from Deputy Kerfoot's grasp, spin to his left, turning completely around to face Deputy Kerfoot with an angry look on his face. He also noted the suspect's size advantage over Deputy Kerfoot.

Deputy Erskin stated he did not have the time to put out radio traffic because it would have given the Suspect White more time to attack Deputy Kerfoot, so Deputy Erskin took a step toward them just as Suspect White swung his right fist at Deputy Kerfoot, missing him. Simultaneously, Deputy Kerfoot punched Suspect White on the left side of his face with his right hand. Suspect White stepped back and it appeared to Deputy Erskin that Suspect White was going to come back at Deputy Kerfoot, so Deputy Erskin stepped in and grabbed Suspect White by his wright wrist and biceps while Deputy Kerfoot had hold of the suspect's left arm. Suspect White regained his balance and attempted to pull away from the deputies' grasps.

Deputy Erskin stated that he was pulling on the suspect's arm to get him to the ground, but it was difficult due to the suspect's large body frame. He said they all spun around in the module's hallway while maintaining hold of the suspect's arms as the suspect tried pulling away from grasps. Pulling on the suspect's arms as hard as he could, Deputy Erskin said Suspect White started spinning and fell backwards into the security bars striking his back and his head, then fell back onto the ground. He said that Suspect White could not brace his fall because they had hold of his arms. Although Deputy Erskin did not fall down, he was hunched over as Suspect White hit the ground and ended up on the suspect's right side.

Deputy Erskin used his right knee to hold down the suspect's torso area while he and Deputy Kerfoot yelled out commands to the suspect to stop fighting and roll over onto his stomach while he maintained control of the suspect's right arm. Not complying with Deputy Erskin's orders, Suspect White pulled his arm from Deputy Erskin's grasp and attempted to punch Deputy Erskin's face, missing him. As the suspect was swinging his arms, Deputy Erskin was able to grab hold of the suspect's left arm, but the suspect pulled it back, pulling Deputy Erskin toward him, then taking another swing at Deputy Erskin's face.

Erskin deflected the punch and it glanced off his arm as the suspect continued to swing at them both.

In an attempt to stop the suspect's assault and from a kneeling position, Deputy Erskin kneed Suspect White one time to his right side rib cage area with his right knee. This proved to be effective because Suspect White immediately rolled onto his left side and faced away from Deputy Erskin. Still in a kneeling position behind Suspect White, Deputy Erskin ordered Suspect White to place his hands behind his back. When Deputy Erskin grabbed Suspect White's left arm, Suspect White rolled forward onto his stomach, pulling his arms underneath his body and kicking his legs wildly. He noted a large quantity of blood covering the suspect's arms.

Fearing Suspect White was going to lift himself upward from the ground and to gain compliance of his arms, Deputy Erskin punched both the left and right kidney areas on Suspect White's lower back approximately five to ten times with his right fist. This was not effective because Suspect White's arms remained underneath his chest/stomach area.

Deputy Erskin said Deputy Kerfoot was on the opposite side of Suspect White's body. He was aware of other deputies around him, but his focus was on Suspect White. As Deputy Erskin grabbed the suspect's left arm, he pulled it from his grasp. Deputy Erskin then kneed the left side of Suspect White's rib cage area two times with his right knee. He then heard the sound of a TASER being fired and saw Suspect White's body become rigid so he grabbed Suspect White's left arm.

After the TASER completed its cycle, Deputy Erskin immediately placed Suspect White's left arm behind his back. Deputy Kerfoot placed his right arm behind his back and the suspect was handcuffed without further incident. He then saw Deputy [redacted] holding the TASER.

Deputy Erskin stated he was not injured in this incident and he estimated the fight lasted approximately 30 to 45 seconds. He did not recall having any prior or negative contact with Suspect White. For further, refer to Deputy Erskin's supplemental report, presented as ***Exhibit C***, listed in ***Volume 1 of 2***.

Deputy [redacted] was interviewed by IAB Sergeants Dinah Grote and Laura Haynes on June 24, at 1005 hours, at the IAB Commerce office. He was represented by Attorney Derald Brenneman from Green & Shinee.

Deputy [redacted] stated he was working inside Module 2700 when he saw Deputy Kerfoot escorting an inmate (Suspect White), hands in a firm grip behind the inmate's back, walking in the hallway toward the front exit door. He saw Deputy Erskin exiting Gate 2 to assist. Deputy [redacted] then heard a loud aggressive voice state, "Where the fuck are you taking me?" He saw Suspect White break free from Deputy Kerfoot, then saw Deputies Kerfoot and Erskin take Suspect White to the ground. He heard the noise of bodies hitting

the gate, but he did not see the fall. Exiting the module through two security gates, Deputy [redacted] ran to assist the deputies, while Deputy [redacted] remained in Module 2500.

When Deputy [redacted] exited Gate 2, he saw Deputies Kerfoot and Erskin on the ground fighting with Suspect White. Deputy [redacted] did not put out any radio traffic because the suspect was assaultive with the deputies and he wanted to assist them. The suspect was lying on his back, partially on the left side, with his head adjacent to security bars near Gate 2, and his feet pointed at an angle toward the exit door/wall.

Suspect White was pulling Deputy Kerfoot's arm in toward himself (Suspect White), so Deputy [redacted] went to the suspect's left side near Deputy Kerfoot. He reached in and attempted to grab Suspect White's right arm. The suspect pulled his arm away from Deputy [redacted] and started kicking his legs while moving his body on the ground. Suspect White kicked Deputy [redacted] two to three times on his left thigh causing him immediate pain.

In an attempt to gain compliance and control the suspect and now at the area of the suspect's head near the security gate bars, Deputy [redacted] struck Suspect White's head and face two to three times with his right elbow. He believed it would be more effective than punching him. Not having any effect on the suspect because he continued to wildly swing his arms at the deputies and kick, Deputy [redacted] again elbowed the suspect two to three more times to his head and face.

At this point, Deputy [redacted] saw Deputy Diaz arrive and attempt to gain control of Suspect White's legs. He then heard someone yell out, "TASER" or that they were pulling a TASER, so Deputy [redacted] backed away from the suspect. Deputy [redacted] stood up because he had moderate pain in his leg from being kicked and saw a TASER dart strike Suspect White's buttocks or back area. He said the suspect was handcuffed, but he did not see who handcuffed him.

During the incident, Deputy [redacted] and the other deputies gave Suspect White commands to stop fighting and to give up his hands. Suspect White did not comply as he yelled out, "Get the fuck off me!" Deputy [redacted] said he works the module every day, but he has never had any negative contact with Suspect White. Deputy [redacted] believed the injuries to Suspect White's head and face were probably as a result from his elbow strikes.

Deputy [redacted] sustained contusions and complaint of pain to his left thigh area. He was treated for his injuries at White Memorial Hospital and released back to full-duty work. For further, refer to Deputy [redacted] supplemental report, presented as ***Exhibit D***, listed in ***Volume 1 of 2***.

IAB Note: No photographs were taken of Deputy [redacted] injury.

Deputy Armando Diaz was interviewed by IAB Sergeants Dinah Grote and Laura Haynes on June 24, 2009, at 1040 hours, at the IAB Commerce office. He was represented by Attorney Derald Brenneman from Green & Shinee.

Deputy Diaz stated he was exiting the 2600-2800 Module door and stepped out into the hallway when he heard "people yelling." He opened the 2500/2700 Module door to investigate and saw an inmate fighting with three deputies on the ground. Immediately, Deputy Diaz broadcast over his radio that a deputy was involved in a fight and gave a housing location. He ran in to assist and saw Suspect White lying with his back on the ground in the hallway, throwing punches and kicking at the deputies (Kerfoot, Erskin, and [redacted]) who were trying to control him. It appeared the suspect was trying to get up.

Seeing that the suspect was kicking and his legs were pointed in his direction, Deputy Diaz went to the right side of the suspect's body and attempted to grab his legs. Suspect White kept kicking out at any deputy who came near him. Deputy Diaz gave the suspect repeated orders to stop fighting, but he did not comply, saying, "Get off me. Get off me!" Deputy Diaz said Suspect White somehow ended up turning onto his stomach, but he continued to punch at the deputies and kick backwards. With his body bent over the suspect, Deputy Diaz grabbed hold of the suspect's legs and was kicked on his right shin area two to three different times. He lost control of the suspect's legs and was knocked backwards slightly.

In an attempt to stop his assault and to gain control of his arm for handcuffing, Deputy Diaz used his right fist to punch Suspect White three times on the left side rib cage area. This proved effective because Suspect White stopped kicking. However, he did torque his body from side to side in an effort to avoid the deputies from gaining control of him. Deputy Diaz recalled seeing Deputy [redacted] next to him on the left side of the suspect's body when he heard someone yell, "TASER, TASER." Backing away from the suspect, Deputy Diaz saw the TASER prongs hit the suspect's buttocks. Deputy Diaz grabbed Suspect White's left arm and placed it behind the suspect's back where either Deputy Erskin or Deputy Kerfoot handcuffed the suspect.

Deputy Diaz said he did not know Suspect White prior to this incident and he had no prior contacts or knowledge of the suspect. From the time he became involved in the fight to handcuffing the suspect, Deputy Diaz estimated the fight lasted approximately one minute.

Deputy Diaz received a small, swollen, and bruised laceration to his right shin. He was treated for his injuries at White Memorial Hospital and released back to full-duty work. For further, refer to Deputy Diaz's supplemental report, presented as ***Exhibit E***, listed in ***Volume 1 of 2***.

> **IAB Note:** Per the Employee Injury Report, photographs were taken of Deputy Diaz' injury. However, Sergeant Joaquin Soto stated he could not locate them.

Deputy [redacted] was interviewed by IAB Sergeants Dinah Grote and Laura Haynes on June 18, 2009, at 1035 hours, at the IAB Commerce office. He was represented by Attorney Helen Schwab from Green & Shinee.

Deputy [redacted] stated that he was in Module 2600/2800 when he heard a radio transmission advising of a deputy involved fight in Module 2500/2700. Deputy [redacted] ran out of Module 2600/2800 and directly across the hallway to Module 2500/2700, where he saw the door was open and heard someone yell, "Stop fighting, stop fighting!"

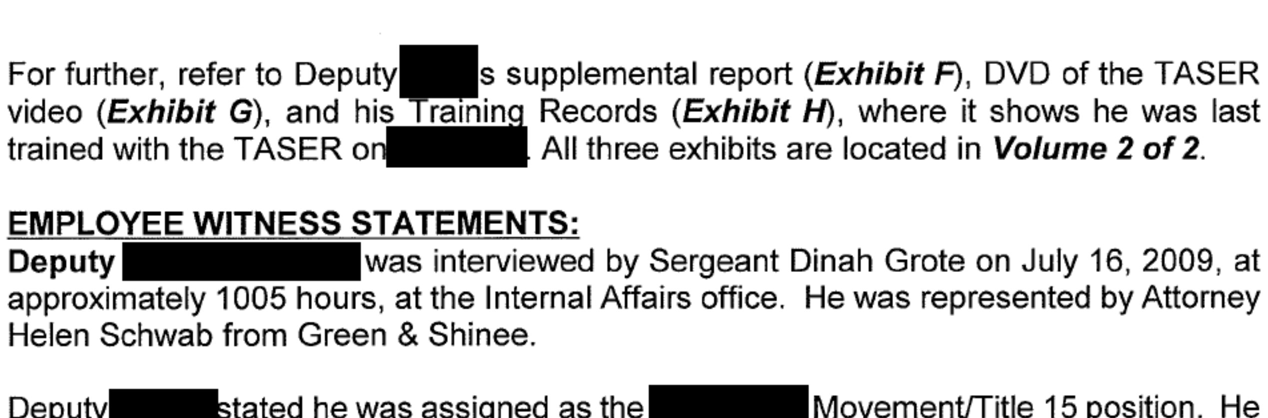
When Deputy [redacted] entered the module, he saw a large pool of blood on the ground, in front of him and to his left. He saw four deputies on the ground with an inmate (Suspect White). The inmate was lying on his back, kicking and punching at the deputies, yelling, "Fuck you. Fuck you, deputy!" as the deputies were yelling out commands to for the suspect to stop fighting and to give up his hands.

Within five to ten seconds the suspect was lying on his stomach. He was still kicking and punching at the deputies, trying to lift up off the ground. Deputy [redacted] said his attention was focused on the suspect's actions, but he believed Deputy Kerfoot was on the right side of the suspect's body trying to control his arm. Deputy Erskin was to the left of the suspect's body, and Deputies [redacted] and Diaz were in the area of the suspect's legs. He said the deputies and the suspect moved in a circle with the suspect's head was pointed toward the entry/exit door. As the suspect was swinging his arms, he struck Deputy Kerfoot one time in the chest area.

As Deputy [redacted] neared them and realizing the suspect had a large-framed body, he recalled he had a TASER on his person. Positioning himself near the suspect's feet near Gate 2, Deputy [redacted] removed the TASER from a holster and pointed it at the suspect's back/buttocks area. He yelled out, "TASER," pulled back on the trigger, and watched as the TASER prongs hit Suspect White's left buttocks and back.

Deputy [redacted] stated, initially, the TASER did not appear to be effective because the suspect kept moving his arms around. A couple seconds passed and the effects of the TASER appeared to be working because the suspect was not struggling. Deputy [redacted] held down the trigger while Deputy Erskin placed the suspect's arm behind his (White's) back and was told by Deputy Erskin to stop the TASER's flow of electricity. Deputy [redacted] released the trigger and the electricity flow stopped. Deputies Kerfoot and Erskin then handcuffed the suspect without further incident.

Deputy [redacted] stated he continuously held down the TASER's trigger for approximately 10 to 15 seconds because of the suspect's size and his resistence. He feared the suspect would remove the prongs if he released the electricity charge too early, so he held down the trigger until the deputies could gain control of the suspect's arms.



For further, refer to Deputy [redacted]s supplemental report (***Exhibit F***), DVD of the TASER video (***Exhibit G***), and his Training Records (***Exhibit H***), where it shows he was last trained with the TASER on [redacted]. All three exhibits are located in ***Volume 2 of 2***.

EMPLOYEE WITNESS STATEMENTS:

Deputy [redacted] was interviewed by Sergeant Dinah Grote on July 16, 2009, at approximately 1005 hours, at the Internal Affairs office. He was represented by Attorney Helen Schwab from Green & Shinee.

Deputy [redacted] stated he was assigned as the [redacted] Movement/Title 15 position. He said he was working the upper deck of the [redacted] Module station conducting tier time for the "Denver" (D) Row inmates when he heard radio traffic advising of a deputy involved fight within his module. He said that after the inmates were secured back into their cells, he closed the gates, stepped out of security and ran down the stairs. He saw that the fight was over and Suspect White was lying on his stomach. He said a nurse, a trusty, and a gurney was present and that he did not witness any force.

> **IAB Note:** In Suspect White's declaration, he stated that during the fight with the deputies, he saw Deputy [redacted] standing among the deputies with a "scared" look on his face. For further, refer to the declaration, presented as ***Exhibit Q***, ***pages 21 & 24***, in ***Volume 2 of 2***, and Suspect White's transcripts, listed under ***Transcribed Interviews, "Suspect White, IAB Interviews #2 and 3,"*** in ***Volume 1 of 2***.

Deputy [redacted] was re-interviewed for follow-up questions on March 1, 2010, at approximately 1120 hours, at the Internal Affairs office. He was represented by Attorney Derald Brenneman from Green & Shinee.

Deputy [redacted] said that during the fight he was in the module and did not witness any force because he was not present. He had no idea as to why Suspect White said he was present during the fight. He said Suspect White probably recognized him as one of the housing deputies.

Deputy Christopher Cenderelli was interviewed at the Internal Affairs office on March 1, 2010, at approximately 1128 hours. He was represented by Attorney Derald Brenneman from Green & Shinee.

Deputy Cenderelli said he was assigned to work Module 7100 for the day when he had his only contact with Suspect White. He recalled Suspect White having "loss of privileges," so he opened the tray slot on the door for pill call and told Suspect White to come to the door. Suspect White told Deputy Cenderelli that he was injured and could not get up. Deputy Cenderelli and the nurse entered the cell and Suspect White was given his medications.

During his contact with Suspect White, he asked Suspect White how he became injured. Suspect White told Deputy Cenderelli that Deputy Kerfoot and other 2000 floor deputies "beat [his] ass."

Deputy Cenderelli said that incident had been his only contact with Suspect White. He denied ever hitting, threatening, or using any type of intimidation on Suspect White, and he believed Suspect White recalled him because he had talked to him about the force incident when Suspect White to the housing area.

Deputy Dustin Schnakenberg was interviewed at the Internal Affairs office by Sergeants Dinah Grote and Laura Haynes on March 1, 2010, at approximately 1140 hours. He was represented by Attorney Derald Brenneman from Green & Shinee.

Deputy Schnakenberg was assigned to the early morning shift working Module 7100. When Suspect White arrived back at Men's Central Jail from the hospital, he was sent to Module 7100, where Deputy Schnakenberg assigned Suspect White to his cell. He asked Suspect White why he was in the hospital. Suspect White told him because of a fight involving deputy personnel from Module 2000. Deputy Schnakenberg stated that conversation was the only time the fight incident was talked about. He said prior to this conversation with Suspect White he had no knowledge of the fight involving the deputies.

Approximately two weeks after his first conversation with Suspect White, Deputy Schnakenberg saw a sign on Suspect White's cell door that indicated a "sergeant escort." Deputy Schnakenberg opened the cell door and asked Suspect White why he needed a sergeant escort. Suspect White told him that deputies were out to get him, so Deputy Schnakenberg closed the door and walked away. He said he stopped talking to Suspect White and stayed away from him.

Deputy Schnakenberg stated his only contacts with Suspect White were at night when he shined his flashlight into Suspect White's cell and onto his body in order to see if he was breathing during the security checks. He said also there was pill call twice a night wherein medications were distributed by the nursing staff. During this time, he said three to four deputies would walk with the nurses to provide security.

Other than Suspect White accusing him of working the 2000 floor, Deputy Schnakenberg said his contacts with Suspect White were positive. He said he had not had any conversations with Suspect White since talking to him about the sergeant escort. Deputy Schnakenberg was reassigned to another housing area and had no further contact with Suspect White since leaving. He denied that he threatened or used intimidation on Suspect White and he did not know why Suspect White would make the allegations.

Registered Nurse I Akelat Gezahegne was interviewed by Sergeants Dinah Grote and Laura Haynes on March 8, 2010, at 1500 hours, at the Men's Central Jail.

IAB Note: Prior to the interview, Nurse Gezahegne was shown a photograph of Suspect White (***Exhibit O***) as well as a copy of Suspect White's Inmate Injury Report (***Exhibit K***, listed in ***Volume 2 of 2***) to assist her in the recollection of the inmate and treatment.

Nurse Gezahegne stated she and another nurse (Witness Nuala Haggerty) responded with a gurney to Module 2500 regarding a "man down." When she arrived, Nurse Gezahegne saw Suspect White lying on the ground with his face covered in blood, talking and crying. Suspect White was placed on the gurney and taken to the medical clinic within the Men's Central Jail for treatment.

When they arrived at the clinic, the gurney holding Suspect White was placed into one of two treatment areas within the clinic. Nurse Gezahegne treated Suspect White while Nurse Haggerty documented the medical information into the computer (known as "charting"). Nurse Gezahegne had an unknown deputy remove one of the handcuffs from Suspect White's wrists so that she could monitor his vitals and provide him treatment.

Suspect White's temperature was taken utilizing a probe that is attached to a machine and inserted into his mouth, providing a digital readout of his temperature. She stated that primarily an oral (mouth) temperature would be done. If someone had a serious facial injury, the armpit would be used as a secondary location for a temperature reading. Nurse Gezahegne denied taking Suspect White's temperature via his rectum. She said that only in extreme measures would that technique be used (i.e., broken jaw, inability to talk). She said Suspect White did not meet that criteria because he could talk.

IAB Note: Refer to the four photographs taken of the medical clinic's bed area and portable machine which was used by Nurse Gezahegne to take Suspect White's temperature, presented as ***Exhibit R***, in ***Volume 2 of 2*** in this case book.

Nurse Gezahegne said she remained at or near Suspect White's gurney until an ambulance arrived and transported Suspect White to LCMC (Los Angeles County - University of Southern California Medical Center). For further, refer to Inmate Injury Report, presented as ***Exhibit K***, in ***Volume 2 of 2*** of the case book.

Registered Nurse I Nuala Haggerty was telephonically interviewed by Sergeant Dinah Grote on March 17, 2010, at 1135 hours.

Nurse Haggerty and Nurse Gezahegne responded to a "man-down" in Module 2000. The inmate, Suspect White, was placed onto a gurney and escorted to the medical clinic by the nurses and a deputy. Nurse Haggerty recalled Suspect White wearing pants, a shirt, and that a TASER had been deployed on him.

Nurse Haggerty said that in the clinic Suspect White remained on the transportation gurney while he was placed in one of the two-bed areas within the clinic. Nurse Haggerty and

Nurse Gezahegne treated Suspect White's facial area and took his vital signs. Nurse Haggerty said Suspect White's body temperature was taken orally via an "oral probe," and his reading was 97.2 degrees Fahrenheit. She indicated that temperatures are taken orally, but if an inmate's temperature could not be done orally, then the armpit would be used as a secondary measure. She indicated only in extreme measures, such as if the patient was unresponsive, would a rectal method be used and that practice is not usually done at Men's Central Jail.

Nurse Haggerty measured Suspect White's facial injuries and began to document the medical information into the computer (known as "charting"), while Nurse Gezahegne treated Suspect White's injuries.

Nurse Haggerty said the curtains in the two-bed treating were drawn back so that Suspect White could be monitored. She said the curtains would be closed if a patient needed to use the bathroom, but that did not happen with Suspect White. Although she did not recall the placement of the security deputy, she said the deputy would have most likely been toward the foot of the gurney, so that the deputy would not impede the nurse's ability to treat Suspect White.

Nurse Haggerty said that even though a patient might be left alone, there's always a nurse directly observing the patient no more than three to four feet away, stating other nurses present in the clinic at the different nurse's desks. During the time she was treating Suspect White, Nurse Haggerty said that no deputy had inserted anything into Suspect White's rectum.

NON-EMPLOYEE WITNESS STATEMENTS:
The following witnesses were identified and interviewed on May 13, 2009, during the investigation by MCJ's Sergeant Joaquin Soto. The interviews were summarized and precise wording of those interviews may be obtained by reviewing verbatim transcripts or the IAB audio files or the DVD, listed under ***Exhibit Z***, in ***Volume 2 of 2*** of the case book.

[redacted] stated he and Suspect White were out of their cells on "tier time." He said he was standing outside cell #12 playing cards with someone who was inside the cell. Inmate [redacted] stated he did not pay any attention when Suspect White left the row. Approximately one to two minutes later, Inmate [redacted] heard someone screaming as if they were in pain, but he did not know who it was nor did he see anything.

[redacted] stated he and Suspect White have had many discussions because he was assisting Suspect White with his criminal case. He was inside his cell talking to Suspect White who was outside of his cell during White's tier time when Suspect White told Inmate [redacted] to "hold on a second," then White left him. A couple of minutes later while lying on his bed, Inmate [redacted] heard screaming but did not see anything. Inmate [redacted] said he has never had any problem or confrontation with any of the deputies, and he had no knowledge of there being any animosity or problems that existed between Suspect White and any

other deputy.

[redacted] said his cell was [redacted] to Suspect White's cell. He said approximately two weeks prior to the fight involving Suspect White and the deputies, he heard Suspect White asking Deputy Kerfoot if he could go see a doctor. Deputy Kerfoot told Suspect White that he could not go, so Suspect White called Deputy Kerfoot a "little bitch." Suspect Inmate made another similar comment to Deputy Kerfoot a week prior to the fight. Inmate [redacted] said Deputy Kerfoot did not respond to Suspect White and "went about [his] business."

Inmate [redacted] said he explained to Suspect White the process for the medical system, tier time, phone time, deputies' duties, and other jail programs/information. He said Inmate White was always asking for tier time or to see a doctor. When a deputy told him, "No," Inmate White would use profanity toward the deputy, so Inmate [redacted] told Suspect White to stop bugging the deputies, and to leave them alone because they (the deputies) had to do their jobs.

Inmate [redacted] said Deputy Kerfoot asked him what was wrong with Inmate White. Inmate [redacted] contacted Suspect White telling him that the deputies were not thinking or concerned about him. Inmate [redacted] then told Deputy Kerfoot the same thing, adding that Inmate White would leave law (Pro Per status). Deputy Kerfoot told him okay.

Inmate [redacted] stated he was inside his cell when he heard someone shout out, "White boy, come here." He said Inmate White quickly walked past his cell toward the front of the module. He said he did not see anything, but he heard yelling. Inmate [redacted] said he firmly believed deputies were not out to get Inmate White.

> **IAB Note:** On March 2, 2010, I attempted to contact Mr. [redacted] by telephoning his [redacted], [redacted], in the state of Missouri. He stated he had not heard from [redacted] since December 2009. He believes [redacted] is somewhere in the City of Los Angeles, but he does not know where or how to contact him.

SUSPECT'S STATEMENT

The suspect was interviewed on four separate occasions during the investigation and the four interviews were summarized individually and the precise wording of those interviews may be obtained by reviewing the verbatim transcripts in **Volume 1 of 2** of the case book or the IAB audio files.

Suspect Eric White was interviewed by Men's Central Jail Sergeant Joaquin Soto and Lieutenant Leonard McCray on May 13, 2009, at 1120 hours, after the incident. The videotaped interview of Suspect White by Sergeant Joaquin Soto and Lieutenant Leonard McCray was downloaded onto a DVD and is presented as ***Exhibit Z***, in ***Volume 2 of 2*** of the case book.

Suspect White stated that after he came out of the law library he asked Deputy Kerfoot if he could get tier time and was told, "Yeah." He was outside of Inmate [redacted] cell talking to him and Inmate [redacted] was outside of an unknown cell, playing cards with an unknown inmate, when Deputy Kerfoot came to the gate and said, "White, come here."

Suspect White came downstairs, arrived at the open security gate, and was told to come through the gate. As he walked through the gate, Deputy Kerfoot told him to stand up against the wall adjacent to the gate (on the right side) and to place his hands behind his back, so he did. Deputy Kerfoot grabbed his clasped hands, leaned forward and said into his ear, "You want to call me a punk now?"

Suspect White apologized to Deputy Kerfoot stating he did not want any problems. Deputy Kerfoot had hold of his interlaced fingers and they walked up toward the front security gate/door, stopping at the wall. Deputy Kerfoot told him to spread his legs, then started kicking his legs out from under him, so Suspect White pulled himself back up. Again, Deputy Kerfoot kicked his legs out and said, "Hey, you want to call me a fucking punk?"

Again, Suspect White apologized, and was told to place his face or nose on the wall. He then felt a blow to his head and chest. When Suspect White tucked his nose downward, his forehead was pushed into the wall. He then went to the ground and three or four other deputies became involved and were hitting him in the head and on his legs. He said the module doors opened up and "at least" 20 deputies became involved in assaulting him. He said during the "beating" his pants were ripped off him by the deputies, the TASER was deployed on him and he was handcuffed.

Suspect White was placed on a gurney and taken to the jail's medical clinic. Afterward, he was transported to the hospital (Los Angeles County-USC Medical Center) via an ambulance. He said the driver was driving recklessly, driving over speed bumps and causing Suspect White to "fall around." He believed the driver was doing it intentionally because they were laughing.

Suspect White denied taking anything out of anyone's cell. He said he did not pull his hands from Deputy Kerfoot's grasps and he did not turn towards Kerfoot. He denied hitting or kicking any deputy, and he remained in a fetal position during the fight. When Suspect White was told about the deputies' injuries, he told Sergeant Soto he (Soto) was lying.

Suspect White believes this fight occurred as a result of an incident he had with Deputy Kerfoot approximately one week prior. He said he had previously submitted six or so inmate complaint forms to see the doctor, but he did not get any response. While in his cell, Deputy Kerfoot came down his row and told another inmate that he (the inmate) could go see the doctor. Having heard this, Suspect White asked Deputy Kerfoot if he could go see the doctor. Deputy Kerfoot told Suspect White, "The doctor don't want to see you, you fucking pussy." Suspect White said he got mad and called Deputy Kerfoot a "punk."

IAB Note: In a search of filed Inmate Complaint/Requests, MCJ's Lieutenant Patrick

Davoren provided me with a copy of the search results for the complaints submitted by Suspect White (***Exhibit M***), and copies of six Complaint/Request forms (***Exhibit N***). However, no Complaint/Request forms previous to May 13, 2009, were located. The complaints/requests have been broken down by dates.

05/21/09, Suspect White requested a religion preference.
05/24/09, Suspect White requested an appeal for his loss of privileges.
05/26/09, Suspect White requested to speak with a mental health clinician.
06/12/09, Suspect White requests to be moved to the medical ward.
06/20/09, Suspect White complained about his eye drop treatments.
06/24/09, Suspect White complained about not receiving physical therapy.

Suspect White received 20 days of segregation and the "loss of privileges" for fighting with deputies. He did not spend anytime in the disciplinary section, 4300/4400. For further, refer to the Inmate Discipline Report and two photographs taken of Suspect White after his return from the hospital, presented as ***Exhibit O***, in ***Volume 2 of 2*** of the case book.

Suspect White stated that after calling Deputy Kerfoot a "punk," there were no more issues. He has seen Deputy Kerfoot a lot and even told Inmate [redacted] that Deputy Kerfoot was there everyday. He said Deputy Kerfoot and the other deputies treated him with respect, and that Deputy Kerfoot treated him the same as the other inmates.

Suspect White said two days before this fight had occurred (May 11, 2009), Inmate [redacted] told him that Deputy Kerfoot asked him (Inmate [redacted]) if Suspect White had a problem. Inmate [redacted] went on to tell Suspect White to be careful because "they" were plotting to get him (Suspect White), and that Suspect White should contact his family and/or the ACLU. That same day, Suspect White said he telephoned his [redacted] and told her that he was scared.

IAB Note: On May 13, 2009, a friend [redacted] of Suspect White's [redacted] telephoned the Sheriff's Office and complained that deputies assaulted Suspect White. That day, MCJ Lieutenant Rivera contacted Ms. [redacted], advising her of Suspect White's involvement in the use of force. On June 17, 2009, Lieutenant Rivera closed out the complaint. Refer to ***Exhibit P***, in ***Volume 2 of 2***, for a copy of the Referred Inmate Complaint form.

Suspect White said the fight with Deputy Kerfoot was in retaliation for him calling Deputy Kerfoot a name.

On May 14, 2009, at 0115 hours, Internal Affairs Bureau Sergeants Dinah Grote and Laura Haynes arrived at the Los Angeles County-USC Medical Center emergency room to interview Suspect Eric White. Suspect White declined to be interviewed.

On February 3, 2010, at 1055 hours, Sergeant Grote conducted a telephonic interview with Suspect White, who is in custody at the Tehachapi State Prison.

Suspect White stated he was sentenced to [redacted] He said approximately one week prior to leaving the Los Angeles County Jail system, Agent [redacted] (NFD) from the Federal Bureau of Investigation interviewed him regarding the force incident that started with Deputy Kerfoot, and the retaliation by deputies since.

Essentially, Suspect White stated the same as in his MCJ interview. He added that one week prior to the force incident when Deputy Kerfoot was on the row calling out two other inmates for medical services, and after Deputy Kerfoot called him a "fucking pussy," he called Deputy Kerfoot a "fucking pussy" and a "punk." Deputy Kerfoot then replied, "We're gonna crack your game. Come up out of here on the tier." Suspect White said, "Yeah, right."

Suspect White said that on previous days when he asked for tier time, he was not given it, then on the morning of the fight, he was given tier time. He suspected the incident was planned out and believes other deputies were hiding in the trusties' mop closet near the module's front door, jumping out to assist Deputy Kerfoot.

When he came down from the tier, initially, he said Deputy [redacted] was present, then stated he was unsure. He then said the only face he recalled seeing during the fight was Deputy [redacted].

Suspect White stated that he has been thinking about his criminal case with the West Covina Police Department and recalled a conversation that he had with a trusty when he first arrived in the Pro Per Module. He said he was in an unknown dayroom in the facility when "[redacted]" the trusty told him that he had all the "juice" on the entire tier and that he ([redacted]) went to either West Covina or Covina High School with Deputies Erskin and [redacted]

When Suspect White returned from the hospital back to Men's Central Jail on the 7000 Floor, he said all of his property, including the paperwork/documents, was taken and has not yet been recovered. Approximately three to four months later, Sergeant Lavey came to his cell to investigate his lost property, which Suspect White states is still missing.

Suspect White said that all of his paperwork could show how the West Covina Police detectives falsified the documents on Suspect White's case. Suspect White believes that Deputies Erskin and [redacted] conspired with the West Covina Police Department to get a conviction against him. This would be accomplished by taking Suspect White's documents/paperwork, giving them to the West Covina Police detectives. Also, Suspect White believes that West Covina Police detectives telephoned deputies and told the deputies to "shut [White] up." He believes the force used against him was because the deputies were working in conjunction with personnel from the West Covina Police Department.

In reference to his ACLU Declaration, Suspect White stated that when he was taken to the jail's medical clinic, the nurse requested the deputy to remove one of the handcuffs. Suspect White said he was lying on his right side, and that the deputy was standing behind him. Suspect White said that as the deputy was removing a handcuff and although he did not see anything, he felt something being inserted into his rectum. At the time, he thought the nurse was taking his temperature so he did not think much about it until he discovered he was bleeding from his rectum three to fours days later. As several months passed, Suspect White concluded that the deputy assaulted him with an unknown object.

> **IAB Note:** The alleged assault deputy is described as a male Hispanic, 5'8" to 5'9", with short black hair and a scar on his cheek.

In his interview with MCJ's Lieutenant McCray, Suspect White did not recall telling him that the days in between the exchange of words with Deputy Kerfoot and the fight, that they had contact with one another and there they were no other incidents that occurred. Suspect White stated that his first contact with Deputy Kerfoot was when they exchanged words, and the next contact was the fight.

The telephone interview was terminated due to the fact that Tehachapi State Prison protocol required the inmate be locked-down for a facility head count.

On February 24, 2010, at 0915 hours, Sergeants Dinah Grote and Laura Haynes, interviewed Suspect White at the Tehachapi State Prison to conclude the interview.

Suspect White stated when he came down the stairs and was escorted by Deputy Kerfoot to the front of the module to the right side of the entry door. He was uncertain if Deputy [redacted] was present at that time. However, he felt the "presence" of another person. He said that after he thought about it, he believes after Deputy Kerfoot punched him and that other deputies were hiding in the trusty mop closet, and they all jumped out and started assaulting him. Initially, there were three to four deputies involved, then the front door flew open and another 15 deputies became involved.

Although he did not see a flashlight or baton, Suspect White believes he was struck with one on the top of his head.

When asked about retaliation against him, Suspect White said that after he and Deputy Kerfoot had the exchange of words, Deputy Schnakenberg walked past his cell as is in a "show of force." Suspect White believes Deputy Schnakenberg was one of the deputies hiding in the closet. He said when he arrived back at the facility from LCMC, he was taken to IRC to be re-processed because he had been absent from the facility more than 24 hours.

On May 15, 2009, he said he was taken to the 7000 Floor via wheelchair, and when he arrived, there were two to three deputies, one being Deputy Schnakenberg. All three were sitting and leaning back in their chairs, holding their flashlights. He said Deputy

Schnakenberg asked if he (Suspect White) remembered him (Deputy Schnakenberg), and if there were going to be any problems. Suspect White told him there would be no problems.

> **IAB Note:** Refer to the Inmate Total Movement History for Suspect White, presented as ***Exhibit S***, in ***Volume 2 of 2***. It indicates Suspect White arrived in 7100 at 0451 hours. Refer to the EM Shift in-service dated May 15, 2009, which is presented as ***Exhibit T***, in ***Volume 2 of 2***, showing Deputy Schnakenberg was assigned as the 7200 Prowl/Title 15 Deputy.

Suspect White said that on May 16, 2009, Deputy Cenderelli came into his cell agitated because Suspect White could not get out of bed to get his food. Deputy Cenderelli said, "What do you want us to do for you, White?" Deputy Cenderelli pulled out his TASER, pointed it at Suspect White, and said, "You mother-fucker. I'll fucking tase your ass, but Kerfoot's my best friend and you'd probably fucking tell on me." Suspect White stated he was scared and feared for his life and wrote his [redacted] a letter stating his fear, asking that she help him get out of jail. He said Deputy Schnakenberg called him obscenities, and said, "You want to write your fucking [redacted] now?"

> **IAB Note:** Refer to the PM Shift In-service dated May 16, 2009, which is presented as ***Exhibit U***, in ***Volume 2 of 2***, showing Deputy Cenderelli was assigned as the 7100 Prowl #2/Title 15 Deputy.
>
> Sergeant Grote contacted Men's Central Jail Sergeant George Hosac in order to get the Control Log (equipment assignment) for May 16, 2009. He stated that after 30 days, the logs are purged, so Sergeant Grote was unable to verify if Deputy Cenderelli had or had not been assigned a TASER during his shift.

Suspect White stated that a day prior to him leaving 7280 to go to the Twin Towers Correctional Facility, around August 12, 2009, Deputy Schnakenberg came into his cell in the middle of the night. He does not recall what Deputy Schnakenberg said, but felt he was mad. He said a couple of the deputies were standing at the door.

> **IAB Note:** Suspect White stated he was going to Twin Towers because he had been on a 22-day hunger strike to get medical attention.
>
> It shows in Suspect White's Inmate Total Movement History (***Exhibit S***, in ***Volume 2 of 2*** that his last day in Module 7280 was on August 9, 2009, at 1619 hours. Refer to the EM Shift In-service dated August 9, 2009, which is presented as ***Exhibit V***, in ***Volume 2 of 2***, showing Deputy Schnakenberg was assigned to Module 1750/LCMC 2 Deputy.

Two weeks later, Suspect White returned from Twin Towers and was taken down to IRC, then was handcuffed and taken to the "fish" row of Module 1750. He was in his cell waiting for a sergeant escort to take a shower when Deputy Schnakenberg walked in eating a

"Snickers" candy bar, asking Suspect White why he needed a sergeant escort. Seeing him, Suspect White told him that he did not want a shower.

> **IAB Note:** It shows in Suspect White's Inmate Total Movement History (***Exhibit S***, in ***Volume 2 of 2***) that his first day in Module 1750 was on August 22, 2009, at 1351 hours. Refer to the EM Shift in-services dated August 23 and 24, 2009, which is presented as ***Exhibit W***, in ***Volume 2 of 2***, showing Deputy Schnakenberg was assigned to Module 3300 on the 23rd, and Kitchen Prowl #3, on the 24th.

A couple of days later, he said his [redacted] telephoned the doctor and they sent him to a "suicide" module for a few days. After returning back to Module 1700, he was transferred to Module 3100 on September 4, 2009, at 1152 hours.

When he arrived inside the module, Deputy [redacted], known as "Deputy [redacted]," removed his handcuffs and said, "You like fucking with cops, huh?" Suspect White said he did not want any problems and was sent to his cell. On September 6, 2009, he went to the visiting area to see his [redacted] and he returned with other inmates. The other inmates were placed into their cells, and he remained standing at the front of the module at the wall with his hands cuffed.

Suspect White said Deputy [redacted] stood behind him with other deputies around asking him what his problem was, why he was crying, and if he was scared. Suspect White said that he was scared. Deputy [redacted] then punched him on his jaw area, then his left jaw area as Suspect White went to the ground. Deputy [redacted] told him, "Get the fuck up, you fucking bitch. Get back to your cell." Suspect White was escorted back into his cell, where the handcuffs were removed and was told, "Keep your fucking mouth shut." He said Deputy "[redacted]" was also present, and an unknown Hispanic male deputy. He did not report this incident to any supervisor because he was waiting his time out to leave the facility.

> **IAB Note:** Deputy "[redacted]" was described as a male Caucasian in his mid-20s, with black short-shaved hair and who "looks like Kerfoot, and walks around like a little pitbull." The Day Shift In-service for September 6, 2009, shows the only male deputy "[redacted]" working, [redacted] #[redacted], was assigned to Module [redacted]. Also, there were three male deputy "[redacted]" working. Felix Rodriguez #[redacted], was assigned to 2100/2300 Prowl/Movement, [redacted] #[redacted], was assigned to [redacted] and Jason Rodriguez #[redacted], was assigned to 4700/4800 Prowl/Movement. Refer to the Day Shift In-service, presented as ***Exhibit X***, in ***Volume 2of 2***.
>
> The PM Shift In-service for September 6, 2009, shows the only male deputy "[redacted]" working, [redacted] #[redacted], was assigned to [redacted] Prowl/Movement. There were two male "[redacted]" working. [redacted] #[redacted], was assigned to [redacted], and Mauricio Rodriguez #[redacted], was assigned to 3100/3300 Prowl/Movement. Refer to the PM Shift in-service, presented as ***Exhibit Y***, in ***Volume 2 of 2***.

Suspect White further described "[redacted]" the trusty as a male Caucasian in his mid-to-late 20s, 5'10" to 6' tall, who wears glasses and has tattoos on both arms. Suspect White stated that he is color-blind, and believes "[redacted]" has blondish/reddish colored hair. He only talked to "[redacted]" on that one occasion.

Suspect White said that on October 7, 2009, "[redacted]" from the ACLU came and spoke to him. I asked why he did not mention the Deputy "[redacted]" incident and he said he was scared and that "[redacted]" did not have the time to document everything, such as him being sodomized. For further, refer to Suspect White's declaration, presented as ***Exhibit Q, pages 21-26***, located in ***Volume 2 of 2*** of this case book.

When Suspect White was taken to the medical clinic, he was lying on his back on a gurney with his hands handcuffed underneath him. He said the unknown deputy with a scar on his left cheek went underneath him on his left side to un-cuff one of his hands when he "felt it." He figured the doctor was just taking his temperature. He said he was not wearing any pants or boxer shorts, and that his flesh was showing when this occurred. Suspect White also described there being a second male deputy present when this occurred.

Suspect White was unable to provide me with a description of the second deputy. He did not know if these two deputies were the ones that escorted him to the clinic. He stated there was "gang" of deputies, approximately 10, that were there. He then stated he did not know. He stated he recalled seeing two faces. The second deputy was described as a male Hispanic or Caucasian in his twenties, with a "good complexion."

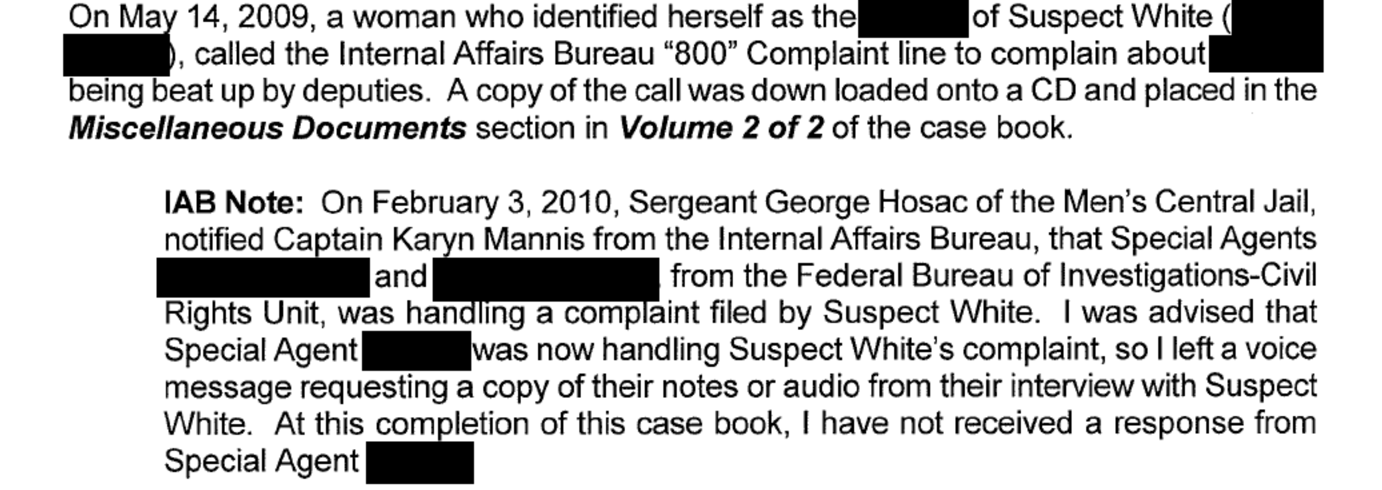
Suspect White said a couple of weeks after the fight incident, maybe longer, up to the four months that he was in the hospital, he figured out that he had been sodomized. He said he did not report this to a supervisor or seek any medical treatment. He had no reason as to why he never told Lieutenant McCray about being sodomized back on October 7, 2009.

Suspect White said that when his paperwork for his case was retrieved by the jailer, he realized the West Covina Police Department detective's name, "[redacted]," was the same as the Sheriff's Department sergeant who gave him the "loss of privileges" for 20 days. He believes the two are brothers. He asked Sergeant Lavey to check, and since Sergeant Lavey never came back to tell him, Suspect White believes Sergeant (Anthony) Velasco is the brother of the detective from West Covina Police Department who handled his criminal case, and somehow they are linked.

He said Sergeant Velasco took him down to the visiting room and left him there for two hours in the back, then turned off the lights. Suspect White said Sergeant Velasco issued him the discipline and that Sergeant Velasco keeps "on him," so he feels like he is being harassed by Sergeant Velasco. Also, he felt Deputies Cenderelli, Schnakenberg, and [redacted] have intimidated and retaliated against him for reporting his concerns to the ACLU.

MISCELLANEOUS SECTION:

Refer to photographs of Suspect White's injuries, presented as ***Exhibit L*** in ***Volume 2 of 2*** of the case book. Also, Suspect White signed a Medical Records Release Authorization form which was mailed to the LAC-USC Medical Center Records Department. On March 4, 2010, the request was delivered and received. At the completion of this case book, Suspect White's medical records have not been received. Refer to the mailing receipts located in the ***Miscellaneous Documents*** section in ***Volume 2 of 2*** of the case book.



On May 14, 2009, a woman who identified herself as the [redacted] of Suspect White ([redacted]), called the Internal Affairs Bureau "800" Complaint line to complain about [redacted] being beat up by deputies. A copy of the call was down loaded onto a CD and placed in the ***Miscellaneous Documents*** section in ***Volume 2 of 2*** of the case book.

> **IAB Note:** On February 3, 2010, Sergeant George Hosac of the Men's Central Jail, notified Captain Karyn Mannis from the Internal Affairs Bureau, that Special Agents [redacted] and [redacted] from the Federal Bureau of Investigations-Civil Rights Unit, was handling a complaint filed by Suspect White. I was advised that Special Agent [redacted] was now handling Suspect White's complaint, so I left a voice message requesting a copy of their notes or audio from their interview with Suspect White. At this completion of this case book, I have not received a response from Special Agent [redacted]